

FILED
ELECTRONICALLY
3/7/07

1	STUTMAN, TREISTER & GLATT, P.C.	SHEA & CARLYON, LTD.
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4	EVE H. KARASIK	CANDACE C. CARLYON
5	(CA State Bar No. 155356)	(Nevada State Bar No. 002666)
6	CHRISTINE M. PAJAK	SHLOMO S. SHERMAN
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*Counsel for the Official Committee of Equity Security Holders of
USA Capital First Trust Deed Fund, LLC*

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

10	In re:	)	BK-S-06-10725-LBR
11	USA COMMERCIAL MORTGAGE COMPANY	)	Chapter 11
12	Debtor)	
13	In re:	)	BK-S-06-10726-LBR
14	USA CAPITAL REALTY ADVISORS, LLC,	)	Chapter 11
15	Debtor)	
16	In re:	)	BK-S-06-10727-LBR
17	USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,	)	Chapter 11
18	Debtor)	
19	In re:	)	BK-S-06-10728-LBR
20	USA CAPITAL FIRST TRUST DEED FUND, LLC,	)	Chapter 11
21	Debtor.)	
22	In re:	)	BK-S-06-10729-LBR
23	USA SECURITIES, LLC,	)	Chapter 11
24	Debtor.)	
25	Affects)	
26	<input type="checkbox"/> All Debtors)	
27	<input checked="" type="checkbox"/> USA Commercial Mortgage Co.)	
28	<input type="checkbox"/> USA Securities, LLC	)	DATE: January 31, 2007
29	<input type="checkbox"/> USA Capital Realty Advisors, LLC	)	TIME: 9:30 a.m.
30	<input type="checkbox"/> USA Capital Diversified Trust Deed)	
31	<input checked="" type="checkbox"/> USA Capital First Trust Deed Fund, LLC)	

NOTICE OF ENTRY OF ORDER RE SECOND OMNIBUS OBJECTION OF THE
OFFICIAL COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL
FIRST TRUST DEED FUND, LLC TO MISFILED CLAIMS (AFFECTS DEBTORS
USA COMMERCIAL MORTGAGE CO. AND USA CAPITAL FIRST TRUST DEED
FUND, LLC.)

1 PLEASE TAKE NOTICE THAT an Order re Second Omnibus Objection of the Official
2 Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC to Misfiled
3 Claims was entered on February 7, 2007, a true and correct copy of which is attached hereto.

4 DATED this 7th day of February, 2007.

5 SHEA & CARLYON, LTD.
6 
7

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Entered on Docket
February 07, 2007

**Hon. Linda B. Riegle
United States Bankruptcy Judge**

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*Counsel for the Official Committee of Equity Security Holders of
USA Capital First Trust Deed Fund, LLC.*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

15	In re: USA COMMERCIAL MORTGAGE COMPANY Debtor	) BK-S-06-10725-LBR Chapter 11
16	In re: USA CAPITAL REALTY ADVISORS, LLC, Debtor	) BK-S-06-10726-LBR Chapter 11
17	In re: USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC, Debtor	) BK-S-06-10727-LBR Chapter 11
18	In re: USA CAPITAL FIRST TRUST DEED FUND, LLC, Debtor.	) BK-S-06-10728-LBR Chapter 11
19	In re: USA SECURITIES, LLC, Debtor.	) BK-S-06-10729-LBR Chapter 11
20	Affects)
21	<input type="checkbox"/> All Debtors)
22	<input checked="" type="checkbox"/> USA Commercial Mortgage Co.)
23	<input type="checkbox"/> USA Securities, LLC	) DATE: January 31, 2007
24	<input type="checkbox"/> USA Capital Realty Advisors, LLC	) TIME: 9:30 a.m.
25	<input type="checkbox"/> USA Capital Diversified Trust Deed)
26	<input checked="" type="checkbox"/> USA Capital First Trust Deed Fund, LLC)
27)

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1 **ORDER RE SECOND OMNIBUS OBJECTION OF THE OFFICIAL COMMITTEE OF**
 2 **EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC**
 3 **TO MISFILED CLAIMS (AFFECTS DEBTORS USA COMMERCIAL MORTGAGE**
 4 **CO. AND USA CAPITAL FIRST TRUST DEED FUND, LLC.)**

5 The Court having considered the Second Omnibus Objection of the Official Committee
 6 of Equity Security Holders of USA Capital First Trust Deed Fund, LLC to Misfiled Claims (the
 7 “Objection”)(Docket No. 2285), as modified by the Notice of Withdrawal of the Objection of
 8 the Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC
 9 to Claim No. 138 Filed by James W. Shaw IRA Against USA Capital First Trust Deed Fund,
 10 LLC (the “Withdrawal”)(Docket No. 2418); Candace C. Carlyon, Esq. of the law firm of Shea
 11 & Carlyon, Ltd. appearing on behalf of the movant (with any other appearances having been
 12 noted in open court); the Court having considered the Objection; adequate notice of the
 13 Objection having been given; and (except as to the Claim which is the subject of the
 14 Withdrawal), there having been no response filed to the Objection; and good cause appearing:

15 IT IS HEREBY ORDERED that the Objection is Granted, and the Claims listed on
 16 Exhibit “A” (the “Claims”) hereto are disallowed; and

17 IT IS FURTHER ORDERED that, to the extent that the Claims were not timely filed in
 18 Case No. BK-S-06-10725-LBR (the “USACM Case”), the Claims shall be deemed to have been
 19 filed in the USACM Case, as of the date such Claims were filed in the FTDF Case, without
 20 prejudice to the rights of any party to object or otherwise respond to such Claims.

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24 Company

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1 APPROVED/DISAPPROVED:

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/s/ Greg E. Garman

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8 Diversified Trust Deed Fund, LLC

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19 Attorneys for Sondra Skipworth Revocable
Truste Dated 11/28/01

20 REVIEWED:

21 OFFICE OF THE U.S. TRUSTEE

22 AUGUST B. LANDIS, ESQ.
23 SCOTT A. FARROW, ESQ.
24 300 Las Vegas Boulevard, Suite 4300
25 Las Vegas, NV 89101

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RULE 9021 DECLARATION

In accordance with Local Rule 9021, the undersigned certifies:

The Court waived the requirements of LR 9021.

I have delivered a copy of proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and each has:

 approved the form of this order;

waived signature in open court; and/or

failed to file and serve papers in accordance with LR 9021(c).

I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the order:

No opposition was filed to the motion and no other party or counsel appeared at the hearing.

DATED this 6th day of February, 2007.

SHEA & CARLYON, LTD.

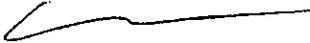

CANDACE C. CARLYON, ESQ.
Nevada Bar No. 002666
228 S. Fourth Street, 1st Floor
Las Vegas, NV 89101

EXHIBIT "A"

EXHIBIT A

<u>CLAIM NO.</u>	<u>CREDITOR</u>	<u>CLAIM AMOUNT</u>
43	Daniel O. Carlton & Takeko Carlton Revocable Trust Dated 4/30/97	\$17,260.84
44	Daniel O. Carlton & Takeko Carlton Revocable Trust Dated 4/30/97	\$75,000.00
45	Daniel O. Carlton & Takeko Carlton Revocable Trust Dated 4/30/97	\$55,000.00
46	Daniel O. Carlton & Takeko Carlton Revocable Trust Dated 4/30/97	\$55,000.00
49	Daniel O. Carlton & Takeko Carlton Revocable Trust Dated 4/30/97	\$50,000.00
50	Lawrence J. Aronson & Henrietta Aronson	\$100,000.00
51	Mollie Shoichet & Henrietta Aronson	\$100,000.00
52	Buckwald Revocable Trust Dated 2/11/92	\$50,807.00
54	Phillip Darin Goforth & Francesca M. Goforth	\$50,000.00
57	Melinda Estevez & Richard David Estevez Acct. # 2	\$331.52
58	Melinda Estevez & Richard David Estevez Acct. # 1	\$51,095.00
59	Melinda Estevez & Richard David Estevez Acct. # 3	\$68,000.0
60	The Evo E. Zepponi and Billie D. Zepponi Family Trust Under Agreement Dated 2/9/1983	\$3,961.66
61	Iona Pete Bakas Halliday	\$50,000 plus accrued interest
62	Lauren J. Gilbert & Erin M. Gilbert	\$50,000.00

<u>CLAIM NO.</u>	<u>CREDITOR</u>	<u>CLAIM AMOUNT</u>
63	Lauren J. Gilbert	\$25,000.00
67	Michael W. Carlton & Helen I Carlton	No amount stated.
74	Sondra Skipworth Revocable Trust Dated 11/28/01	\$100,000
75	Donnolo Family Trust DTD 8/24/88; Joseph & Loretta Donnolo Trustees	\$258,705.71
76	Richard L. Younge IRA	\$150,000.00 plus interest
78	Edwin C. Hansen & Rachel M. Hansen	\$130,000 plus interest
79	Center State Beverage, Inc.	\$86,608.00
81	Layne Family Trust, Bruce & Sherry Layne	\$240,000.00
86	Karen Petersen Tyndall Trust Dated 3/9/94	\$1,115,915.59
87	KPT Irrevocable Trust Dated 7/16/99	\$202,866.38
88	KPT Irrevocable Trust Dated 7/16/99	\$202,866.38
92	Robert Carollo and Beverley Carollo	\$196,094.65 plus interest
93	Arnold Rosenthal	\$500.00
95	Victoria Smith	\$38,000.00
101	L Kanani Cohune	\$51,617.88
113	Michael Baginski	\$288,283.00
116	Karen Petersen Tyndall Trust Dated 3/9/94	\$1,115,915.59
117	KPT Irrevocable Trust Dated 7/16/99	\$202,866.38
121	James J. Lee, Esq.	\$200,000.00
122	Law Offices of James J. Lee	\$200,000.00

<u>CLAIM NO.</u>	<u>CREDITOR</u>	<u>CLAIM AMOUNT</u>
126	William Chad Berry	\$200,000.00
130	RDJ Investments	\$200,000.00
131	Richard N. Anderson TTE, Richard N. Anderson Separate Property	\$200,000.00
132	Craig Zager SEP IRA	\$65,000.00
139	Curtis R. & Terri L. Colagross	\$106,000.00